



WESTFIELD-WASHINGTON
ADVISORY PLAN COMMISSION

September 2, 2014
1409-DP-27 & 1409-SIT-12
Exhibit 1

Petition Number: 1409-DP-27 & 1409-SIT-12

Subject Site Address: Lot 4 at Bridgewater Center at 146th Street

Petitioner: Lauth Group, Inc.

Request: Petitioner is requesting Development Plan and Site Plan approval for the three (3) acre Lot 4 at Bridgewater Center to accommodate a Fresh Thyme grocery store

Current Zoning: Bridgewater PUD

Current Land Use: Vacant

Approximate Acreage: Approximately 3.0 acres +/-

Zoning History: Ordinance 06-49 (restated)
Ordinance 10-01
Ordinance 13-06

Staff Reviewer: Jeffrey M. Lauer, Associate Planner

Procedural

- | | |
|-------------------------------------------------|------------|
| • TAC Meeting | 08/19/2014 |
| • Public Hearing Notice Deadline | 08/22/2014 |
| • APC First Meeting (Public Hearing) | 09/02/2014 |
| • Revised Plan Submittal & APC Packet Materials | 09/05/2014 |
| • APC Second Meeting | 09/15/2014 |

BRIDGEWATER PUD DEVELOPMENT REQUIREMENTS

Bridgewater PUD Standards (Ord. 06-49)

Section 5: The Village Marketplace (see Exhibit 6)

1. Minimum Setback Requirements.
 - a. Front Yard Adjacent to All Districts – Required front yards adjacent to all districts shall be 60 feet. Exception: The required front yard may be reduced to the average setback of the legally established buildings or structures where an existing front yard setback is



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established by two or more existing, legally established buildings or structures within the same block and within three hundred (300) feet in either direction.

Comment: Superseded by Ord. 06-49, Sec. 10.G.6.d.i

- b. Side Yards Adjacent to Residential Districts – Required side yards adjacent to residential districts shall be 60 feet. Exception: If the required side yard abuts an alley, the required side yard setback shall be 40 feet from the right-of-way line of the alley.

Comment: Superseded by Ord. 06-49, Sec. 10.G.6.d.iii

- c. Side Yards Adjacent to Non-Residential Districts – Required side yards adjacent to non-residential districts shall be 15 feet.

Comment: N/A

- d. Rear Yards Adjacent to Residential Districts – Required rear yards adjacent to residential districts shall be 60 feet. Exception: If the required rear yard abuts an alley, the required rear yard setback shall be 40 feet from the right-of-way line of the alley.

Comment: N/A

- e. Rear Yards Adjacent to Non-Residential Districts – Required rear yards adjacent to non-residential districts shall be 20 feet.

Comment: Petitioner is working with staff to ensure compliance

2. Use of Required Yards.

All required yards shall be maintained as green space and landscaped with grass, trees, shrubbery or hedge, or in combination with other suitable ground cover materials in compliance with the requirements of Chapter 6. Landscape Standards of this Ordinance, and shall remain free from buildings or structures except when expressly permitted below:

- a. Front Yard Adjacent to Non-Residential Districts - Required front yards adjacent to non-residential districts may include driveways and parking areas, provided that (i) no portion of the parking area may be located closer to the right-of-way than ten (10) feet; and, (ii) the remainder of said required front yard shall be maintained as green space free from buildings or structures.

Comment: Not Applicable

- b. Front Yard Adjacent to Residential Districts – Required front yards adjacent to residential districts may include driveways and parking areas, provided that (i) no portion of the parking area may be located closer to the right-of-way than thirty (30) feet; and, (ii) the remainder of said required front yard shall be maintained as green space free from buildings or structures.

Comment: N/A



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- c. Side and Rear Yards Adjacent to Non-Residential Districts – Required side and rear yards may include interior access driveways, provided that the remainder of said required side or rear yard shall be maintained as green space free from buildings or structures.

Comment: Compliant

- d. Side and Rear Yards Adjacent to Residential Districts – Required side and rear yards shall be maintained as green space free from buildings or structures.

Comment: Compliant

3. Maximum Building Height.

- a. No building or structure shall be erected above a projected 1:3 proximity slope line (See WC. 16.04.040 B 11)

Comment: Compliant

- b. The maximum height of any building or structure shall be forty-five (45) feet above grade.

Comment: Compliant. Ordinance 06-49 allows a fifty (50) foot building height (see Section 10, 6, e)

4. Loading – See WC 16.04.120.

Comment: Compliant

5. Lighting – See WC 16.07.010

Comment: Petitioner is working with staff to ensure compliance

6. Development Plan

Development Plan filed for any construction, building additions, new or expanded surface parking areas, new or expanded surface loading areas, exterior building renovations or signs in the LB District shall, in addition to any Development Requirements contained elsewhere in this Ordinance, also comply with the following additional Development Requirements:

- a. Pedestrian Access and Orientation - Developers of sites in the Local Business District shall provide sidewalks or pathways along all adjoining public or private streets. Such sidewalks or pathways shall be designed so as to connect to an existing or proposed sidewalk, pathway or trail network.

Comment: Petitioner is working with staff to ensure compliance

- b. Building Fascia - All buildings and structures within a Local Business District development shall share a common architectural style.

Comment: N/A

- c. Vehicle Access - Each vehicle access point shall be designed in compliance with the criteria set forth in this Ordinance and the "Town of Westfield Construction Standards."

Comment: Petitioner is working with Westfield Public Works Department to ensure compliance



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d. Development Pattern:

- i. Developments may be either: (i) a freestanding individual development; or (ii) an integrated development containing more than one (1) business in one (1) or more buildings.

Comment: Compliant

- ii. In order to create an integrated development that may include Out Lots, a rezone to the LB-PD shall be required.

Comment: N/A

- iii. In the case of an integrated development, documentary assurances shall be filed with the Plan Commission indicating that all lots or uses within the integrated development shall be provided with, at a minimum the following: (i) regular trash pick-up; (ii) snow removal; (iii) common vehicle access point(s), drive(s) and parking areas, including maintenance thereof; and, (iv) one (1) shared or common ground or pylon sign

Comment: N/A

Section 8: Uses

Permitted uses for Area Y shall include all uses permitted in the LB-Local Business and Neighborhood District of the Zoning Ordinance on the date of the enactment of the Restate Bridgewater PUD, as indicated by an "X" in the "Local Business" column specified on what is attached and made part of as Exhibit 10, other than those uses specified in Exhibit 10 through which a line has been drawn.

Permitted uses within Area Y shall also include the following, all of which shall be permitted uses and not special exceptions, even if (i) stricken from Exhibit 10, or (ii) not shown on Exhibit 10 as a permitted use.

1. Grocery Stores.

Comment: Compliant

Section 10: Development and Architectural Standards (see Exhibit 17)

1. Aggregate Maximum square footage of all buildings, regardless of use, within Area Y shall be seven hundred and one thousand (701,000), and the Maximum Parcel Coverage within Area Y shall be five hundred thirty-five thousand (535,000) square feet.

Comment: Petitioner is working with staff to ensure compliance

2. Open Space shall be greater than or equal to twenty percent (20%) of Area Y.

Comment: Petitioner is working with staff to ensure compliance



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3. Apartments, not to exceed twenty-five (25) apartment units per building or structure, in Area Y may be contained on upper levels in multi-story, mixed-use structures along with Bed and Breakfast, retail or offices. Structures in Area Y shall be architecturally compatible and cohesive, but shall also utilize multiple textures (i.e., rough, smooth, striated, etc.) or multiple architectural elements (quoins, pilasters, soldier courses, lintels, friezes, cornices, dentils, architraves) to achieve variation in terms of footprint and architectural elevations. In a two or three story building, the second and/or third floors may contain Apartments, Bed and Breakfasts, offices, or retail uses.

Comment: N/A

4. Restaurants shall be permitted to operate outdoor cafes on sidewalks and in courtyards, including areas in public rights-of-way not dedicated to vehicular traffic or parking; provided that pedestrian circulation and access to store entrances are not impaired. The following standards and guidelines are applicable:

- a. To allow for pedestrian circulation, a minimum of five feet of sidewalk along the curb and leading to the entrance to the establishment shall be maintained free of tables and other encumbrances.

Comment: Staff is awaiting more information from petitioner to ensure compliance

- b. Planters, posts with ropes, or other removable enclosures are encouraged and may be used as a way of defining the area occupied by the cafe.

Comment: Staff is awaiting more information from petitioner to ensure compliance

- c. Fixtures such as extended awnings, canopies, or large umbrellas shall be permitted to provide shade. Fixture colors shall complement building colors.

Comment: Compliant

- d. Outdoor cafes shall be required to provide additional outdoor trash receptacles.

Comment: Staff is awaiting more information from petitioner to ensure compliance

- e. Tables, chairs, planters, trash receptacles, and other elements of street furniture shall be compatible with the architectural character of the building where the establishment is located.

Comment: Staff is awaiting more information from petitioner to ensure compliance

- f. The operators of outdoor cafes shall be responsible for maintaining a clean, litter-free, and well-kept appearance within and immediately adjacent to the area of their activities.



Comment: Staff is awaiting more information from petitioner to ensure compliance

5. Retail establishments (exclusive of a General Store and gasoline station) shall be permitted to have sidewalk displays of retail merchandise. The following standards and guidelines are applicable:
- Sidewalk displays are permitted directly in front of an establishment, provided that a minimum of five (5) feet of sidewalk clearance along the curb and leading to the storefront entrance is maintained free of display, and the display area does not exceed seventy-five percent (75%) of the length of the storefront.

Comment: Monitored for compliance by code enforcement

- Sidewalk displays shall be permitted only during normal business hours and shall be removed at the end of the business day. Cardboard boxes or pallets shall not be used for sidewalk displays.

Comment: Monitored for compliance by code enforcement

- Sidewalk displays shall maintain a clean, litter-free, and well-kept appearance at all times.

Comment: Monitored for compliance by code enforcement

6. All Non-residential Uses and Mixed-Use Buildings:

- Minimum lot area: two thousand (2,000) square feet.

Comment: Compliant. 130,447 square feet

- Minimum lot width at building line: twenty-five (25) feet

Comment: Compliant. 408.74 feet

- Minimum lot depth: seventy (70) feet.

Comment: Compliant. 329.96 feet

- Yard dimensions

- Set back from Internal Streets – No minimum

Comment: Compliant

- Set back from External Streets – This provision shall supersede any requirements of the Zoning Ordinance pertaining to proximity slope. The required set back from External Streets for All Buildings shall be based on and determined by a 1:2 proximity, slope requirement (one (1) foot of building



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height for every two (2) feet of building set back). In no case shall the setback be less than thirty (30) feet. The setback area shall be landscaped according to standards set forth in Section 10, Landscaping.

Comment: N/A

iii. Side yard (each side) – No minimum

Comment: Compliant

iv. Rear yard – A minimum of twenty (20) feet unless abutting a common parking lot, in which event no rear yard is required.

Comment: Petitioner is working with staff to ensure compliance

e. Maximum building height – Fifty (50) feet

Comment: Compliant. Building measures 35'-8" to the top of the ridge.

f. Maximum building footprint coverage – One hundred percent (100%)

Comment: Compliant

g. All loading, off-street parking, and drive-through facilities shall be in rear yards and side yards. Loading, parking, and drive-through facilities located in side yards shall be screened as set forth in Section 11.

Comment: Compliant

7. The following restrictions shall apply to all owner or tenant occupied space in Area Y:

a. One (1) single tenant or owner occupied space, with any use permitted in Area Y, may be up to sixty-five thousand (65,000) square feet;

Comment: N/A

b. One single tenant or owner of occupied space, with any use permitted in Area Y, may be permitted up to forty-five thousand (45,000) square feet in Parcel M4;

Comment: Compliant. Proposed building size: 29,000 square feet.

c. One single tenant office space may be up to forty thousand (40,000) square feet;

Comment: N/A



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- d. Two (2) single tenant or owner occupied spaces, with any use permitted in Area Y, may be up to twenty thousand (20,000) square feet;

Comment: N/A

- e. Four (4) single tenant or owner occupied spaces, with any use permitted in Area Y, may be up to fifteen thousand (15,000) square feet;

Comment: N/A

- f. All other single tenant spaces or owner occupied spaces, with any use permitted in Area Y, shall be less than or equal to ten thousand (10,000) square feet.

Comment: N/A

8. Area Y Parking Requirements

- a. Parking shall be provided in Area Y both off-street and on-street. For buildings adjacent to Internal Streets with parking bays, those spaces immediately adjacent to the frontage of the building lot shall be included in the calculation for required spaces. Minimum parking spaces accessory to designated areas shall be provided as follows: Retail. Three and one half (3.5) parking spaces for each one thousand square feet of floor area, provided however that in no case shall any individual tenant or owner provide less than five (5) parking spaces).

Comment: Compliant. 101.5 spaces required. Petitioner is providing 112 spaces

- b. M-4 Parking. Parking shall be permitted to exist in the front of the buildings located within the areas identified as Lots 1, 2, 3, and 4, within Parcel M-4.

Comment: Compliant

Exhibit 17. General Architectural Standards – Area Y

1. Neo-traditional architectural style

Comment: Staff is working with petitioner and architect to ensure compliance on this item

- 2. Building Facades - Buildings along an External Street shall have two (2) front facades, one of which is faux. Access to the building provided along the internal parking areas. Elevation facing External Street (faux façade) with similar architectural features as access side of the building. Examples of architectural treatments for the External Street side of the building include: windows, doors, pilasters, pediments, rails, and balustrades, cross gables, dormers, cupolas,



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awnings, water tables, quoins, and dentals. Design elements and detailing shall be contained completely around the structure.

Comment: N/A

3. Open Space - A series of Open Spaces will be incorporated in the Village Marketplace to allow for seating, passive recreation, events, outdoor dining, and visual aesthetics. The primary open space will be a village park, with lawn areas, landscaping, and benches. As the focal point to the Village Marketplace, the village park will be a place where people can gather, relax, picnic, or play. Other Open Space opportunities within the Village Marketplace may include plazas, courtyards, and gardens. Together these open spaces will provide a pleasant pedestrian experience for shoppers, office workers, and residents

Comment: N/A. Development is within Bridgewater Center, not Bridgewater Marketplace

4. Pedestrian Circulation - The Village Marketplace has been planned to encourage pedestrian circulation. Parking areas will be located behind and between the buildings to allow for storefronts along sidewalks. The sidewalks themselves will be generously dimensioned to allow for shoppers, strollers, sidewalk displays, and outdoor dining. Open spaces will be incorporated to provide a sequence of respite sites for pedestrians. And most importantly, the sidewalk system will be continuous, accessible, and will connect into the larger Greenway Trail system, allowing numerous opportunities for pedestrian circulation.

Comment: N/A. Development is within Bridgewater Center, not Bridgewater Marketplace

5. Parcel M-4 – The following applies to all buildings having rear elevations which are parallel and adjacent to the eastern boundary of Parcel M-4.

- a. The maximum building height of such building shall be one (1) story.

Comment: Compliant

- b. The maximum vertical distance from grade to the eave of the rear elevation of such building shall not exceed 25 feet.

Comment: Compliant

- c. All roof mounted HVAC equipment must be screened from view.

Comment: Staff is awaiting more information from petitioner to ensure compliance



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- d. Drive-throughs and parking within the rear yard of such buildings shall be prohibited.

Comment: Compliant

- e. All trash dumpsters shall have a brick exterior and a roof, and shall be either connected to the primary building or located between buildings.

Comment: Petitioner is working with staff to ensure compliance

Section 11. Landscaping (see Exhibit 18)

1. For Parcels along Internal Streets, there shall be a five (5) foot buffer yard required between (i) adjoining residential and non-residential districts and (ii) adjoining residential districts provided, however, that there shall be no buffer yard required for parcels separated by street or rights-of-way.

Comment: Compliant. Ordinance 13-06 requires a thirty (30) foot buffer between the non-residential district and the residential district.

2. Perimeter yards along External Streets shall be landscaped.

Comment: N/A.

3. Area Y Perimeter yards along External Streets shall be landscaped with shade trees, ornamental trees and shrubs.

Comment: N/A.

4. There shall be a landscape buffer along the eastern edge of Parcel M-4, which shall be forty (40) feet in width, and shall include (i) a berm which is a minimum of seven (7) feet in height, and (ii) two parallel rows in which pine trees, which are a minimum of eight (8) feet in height at planting, are planted twelve (12) feet on center in a staggered pattern.

Comment: N/A. Superseded by Ordinance 13-06 (see below).

Exhibit 18 Landscaping

1. Selection. Ornamental Trees shall have a minimum trunk size of two (2) inches in caliper measured six (6) inches above finished grade.

Comment: Compliant

2. Heating and cooling facilities.

Comment: Staff is awaiting more information from petitioner to ensure compliance



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3. Softening of walls and fences.

Comment: N/A.

4. On-Site (Business) (2.99 ac)

- a. 10 shade trees per acre = 29.9 trees required

Comment: Compliant. Fifteen (15) shade trees provided at 4" caliper

- b. 10 ornamental/evergreen trees per acre = 29.9 trees required

Comment: Petitioner is working with staff to ensure compliance

- c. 25 shrubs per acre = 74.75 shrubs required

Comment: Compliant.

5. Road Frontage

- a. 1 shade tree per 40 feet of road frontage

Comment: Petitioner is working with staff to ensure compliance

- b. Shade trees required to be planted along road frontage shall be located outside drainage and utility easement, shall be located in a manner that mitigates interference with infrastructure located within such easement and may be clustered or grouped in order to attain creative site design.

Comment: Petitioner is coordinating with Westfield Public Works Department and utility providers to ensure compliance

6. Buffer Yards

- a. Buffer sizes shall be determined by adjacent zoning districts and/or land uses in accordance with Table 16.06.060.01. If adjacent properties possess a mix of land uses, then the highest intensity use shall determine the required buffer yard size.

- i. North property line: Commercial/Commercial

Comment: N/A

- ii. East property line: Commercial/Residential

Comment: N/A. Superseded by Ordinance 13-06 (see below)

- iii. South property line: Commercial/Commercial

Comment: N/A



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- iv. West property line: Commercial/Commercial

Comment: N/A

7. Interior Parking Lot Landscaping

- a. Interior Parking Lot Area. - 41 spaces = 1490 square feet required

Comment: N/A.

- b. Minimum Island Size – 6 inches tall; 7 feet wide; 120 square feet

Comment: Compliant

- c. Curbed islands

Comment: Compliant

- d. Unbroken rows of parking can be a maximum of 200 feet

Comment: Compliant

- e. Minimum Planting Requirement -- 1 tree and 4 shrubs per island.

Comment: Compliant

8. Perimeter Parking Lot Landscaping – Parking is located within a required yard.

- a. Perimeter parking lot landscape areas shall be at least five (5) feet wide and shall extend along the perimeter of parking lots. Plantings should be grouped in an aesthetically pleasing manner.

Comment: Compliant

- b. There shall be one tree per thirty (30) linear feet of parking lot length. Trees may be clustered.

Comment: Compliant

- c. There shall be one shrub per three feet of parking lot length. Shrubs may be clustered.

Comment: Compliant

Bridgewater PUD Amendment (Ord. 13-06)

There shall be a landscape buffer along the eastern boundary line of the Real Estate, said landscape buffer shall be thirty (30) feet in width (the "Landscape Buffer") and which shall include the following, all of which are generally depicted in the Landscape Buffer illustrations attached to Ordinance 13-06.



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1. Masonry Wall Standards.

- a. Masonry wall shall be located twenty-five (25) feet west from eastern boundary of Real Estate.

Comment: Compliant

- b. Masonry wall shall be extended south, approximately five hundred and eighty (580) feet from the north boundary line of Real Estate to the front building setback line along and applicable to 146th Street.

Comment: Compliant

- c. The height of the masonry wall excluding caps and columns shall be a minimum of nine (9) feet when measured at grade.

Comment: Petitioner is working with staff to ensure compliance

- d. The top of the masonry wall excluding caps and columns shall be a minimum of ten (10) feet, six (6) inches when measured from grade.

Comment: Petitioner is working with staff to ensure compliance

- e. The masonry wall shall include columns that are a minimum of two (2) feet by two (2) feet and ten (10) feet in height. A column shall be located at each end of the masonry wall and each subsequent column shall have a maximum spacing of twenty-four (23) feet.

Comment: Petitioner is working with staff to ensure compliance

2. Landscaping Standards and Tree Preservation within Landscape Buffer.

- a. Landscaping shall consist of 50 Norway Spruce Trees, which shall be a minimum of eight (8) feet in height.

Comment: Petitioner is working with staff to ensure compliance

- b. The underbrush along the eastern boundary line of Real Estate shall be cleared.

Comment: Petitioner is working with staff to ensure compliance

- c. Tree preservation.

Comment: Petitioner is working with staff to ensure compliance



WESTFIELD DEVELOPMENT REQUIREMENTS

Development Plan Review (WC 16.04.165, D)

1. Zoning District Standards

Comment: See "BRIDGEWATER PUD DEVELOPMENT REQUIREMENTS"

2. Overlay District Standards

Comment: The property does not fall within an overlay district

3. Subdivision Control Ordinance

Comment: Compliant

4. Development Plan Review (WC 16.04.165)

a. Site Access and Site Circulation:

- (1) All proposed site access locations shall comply with the requirements of the Indiana Department of Transportation, Driveway Permit Manual (1996 Version) and any amendments thereto, which is hereby incorporated into and made a part of this Ordinance by this reference;

Comment: Petitioner is coordinating with Westfield Public Works Department to ensure compliance

- (2) All proposed site access locations shall provide for the safe and efficient movement of vehicular and pedestrian movement to and from the proposed development;

Comment: Petitioner is working with staff to increase pedestrian access and connectivity throughout the larger Bridgewater Center

- (3) Site circulation patterns shall be designed to minimize conflicts between vehicular and pedestrian traffic, and create a safe and efficient movement of both vehicular and pedestrian traffic in and around the subdivision. Subdivisions shall be provided with internal sidewalks or pathways along all internal streets as well as sidewalks or pathways along perimeter streets. All sidewalk or pathway systems shall be designed so as to connect to an existing or proposed sidewalk or pathway network.

Comment: Petitioner is working with staff to ensure compliance

b. Landscaping – See WC 16.06 et seq.



Comment: See "BRIDGEWATER PUD DEVELOPMENT REQUIREMENTS, Ordinance 06-49, Section 11 and Exhibit 18 and Ordinance 13-06 Amendment to the Bridgewater PUD."

c. Lighting – See WC 16.07.10 et seq.

Comment: Petitioner is working with staff to ensure compliance

d. Signs – See WC 16.08 et seq.

Comment: Not Applicable.

e. Building Orientation.

Comment: See "BRIDGEWATER PUD DEVELOPMENT REQUIREMENTS, Ordinance 06-49, Section 10 and Exhibit 17."

f. Building Materials.

Comment: See "BRIDGEWATER PUD DEVELOPMENT REQUIREMENTS, Ordinance 06-49, Section 10 and Exhibit 17."

5. Comprehensive Plan Compliance

Comment: The Future Land Use Concept Map in the Westfield-Washington Township Comprehensive Plan (the "Comprehensive Plan") identifies the Property as "Suburban Residential". Commercial uses were anticipated for this corner with the adoption of Ordinance 06-49, prior to the adoption of the Comprehensive plan in 2007. Comprehensive Plan policies for this area state that infill development should be compatible in mass, scale, density, materials and architectural style; and, should not alter the character of the area. Elevations of the proposed building are necessary to determine compliance with the Comprehensive Plan.

6. Street and Highway Access

Comment: Petitioner is coordinating with Westfield Public Works Department to ensure compliance

7. Street and Highway Capacity

Comment: Petitioner is coordinating with Westfield Public Works Department to ensure compliance

8. Utility Capacity

Comment: Petitioner is coordinating with Westfield Public Works Department and utility providers to ensure compliance

9. Traffic Circulation Compatibility

Comment: Petitioner is coordinating with Westfield Public Works Department to ensure compliance